

As we approach the April 13, 2004, meeting we need to begin trying to see if there is any consensus on items discussed to date. This will also provide some direction as to where to proceed. To do that, the following is proposed.

Attached are draft proposals formulated from discussions of the committee. These concepts are not etched in stone, but reflect discussions thus far. Some of the concepts may be rejected in total and others may gain acceptance to one degree or another. We propose that each concept be discussed and the proposal taken to a straw vote. This vote will not be recorded by individual but will at least represent the preference of the committee. It's entirely possible that all, or portions of these concepts may be rejected in total, others may be of some interest, but the straw poll will give some guidance either way.

You will note that the last classification of proposals is "enforcement". It seems to us that the group cannot make many recommendations on enforcement until this initial discussion and straw vote take place. Then, depending on how the discussion goes we can hopefully come to a subsequent meeting with some concrete ideas on how enforcement might look, all dependent on the direction of the straw votes. At that meeting we would hope to discuss those proposals and take a final vote so a report can be prepared for the committee. That report can be submitted for comment along with minority reports that members may want to include in the final report.

As a last note of explanation, the language after Jim Nys' proposal #18 is meant to prompt discussion of what a possible model might look like. It includes the concept of provisional registration, addresses one way to approach the "a" portion of the test, and, in this example, ties the same to the definition of a sole proprietor. From this type of example could also flow the ideas on standards of proof, the memorandum of understanding, affidavits etc. At the end of the meeting we would hope that type of discussion would occur, in the group, and in your everyday interactions.

At any rate, this is how we propose to proceed. Please review the draft proposals and if you have comments, or additional proposals you want included before the April 13 meeting please let us know.